

Notice of Allowability

Application No.

10/807,188

Examiner

Sheela C. Chawan

Applicant(s)

IKEDA ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to July 9, 2007.
2. ☒ The allowed claim(s) is/are 4-5, 10-11, 24, 27 33-34, Renumbered as 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/188,889.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892) 1/02/07
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date Jan 17, 2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Examiner called applicant on 9/27/07 and left message regarding claims need to be canceled such as (withdrawn claims) evidently there is no response.

IN THE CLAIMS:

Canceled claims 6,12-22, 25- 26, 28 - 32, 35- 43 .

IN THE SPECIFICATION:

Page 9, line 35, change " 8C to - - 9C - - .

DETAILED ACTION

Response to Amendment

2. Applicant's amendment filed on July 9, 2007 has been entered.
Claims 1-3, 6- 9, 12- 23, 25- 26, 28-32, 35-43 are canceled.
Claims 4-5, 10-11, 24, 27 and 33-34 are pending in the application.

Response to Arguments

3. Applicant's arguments filed on July 9, 2007 have been fully considered and are persuasive see remarks on page 15, lines 16- 20 with respect to claims 4,10,24, 27 and 33 under 102(e) rejection are withdrawn and all the pending claims 4-5, 10-11, 24, 27 and 33-34 are allowed.

Priority

4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

5. The information disclosure statement (IDS) submitted on Jan 17, 2003 the examiner has considered.

Drawings

6. The Examiner has approved drawings filed on 10/9/03.

Reasons For Allowance

7. The following is an examiner's statement of reasons for allowance:

Claims 4-5, 10-11, 24, 27 and 33-34 are allowed and Renumbered as 1- 8.

Applicant's arguments, (see page 15, lines 16- 20 of the remarks filed on July 9, 2007). The prior art Elfying (US.6, 774, 905) discloses determining if there are any "distinct regions" of a segmented filtered image and creating an outline image of distinct image." Elfying discloses the outline image is created using a search function in order to fit a polygon to the outline image and to classify the outline image as a polygon. Elfying does not teach "defining a potential function V for the image of the graphical form", "calculating a first group of curves which are formed by connecting equal values with respect to values expressed by said potential function V", "calculating a second group of curves which are substantially perpendicular to said first group of curves, as commonly included in each of the independent claim 4, 10, 24, 27 and 33, the prior art of record fails to teach either singularly or in combination, fails to anticipate or render the above limitations obvious.

8. Any comments considered necessary by applicant must be submitted on later than the payment of the issue fee and to avoid processing delays should preferably accompany the issue fee. Such submissions should be clearly labeled, comments on statement of reasons for allowance.


Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Thursday 7.30 - 6.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sheela Chawan
Patent Examiner
Group Art Unit 2624
Sept 21, 2007


SHEELA CHAWAN
PRIMARY EXAMINER